

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Education Postsecondary

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BILL: SB 1372

INTRODUCER: Senators Ingoglia and Yarborough

SUBJECT: Educator Preparation Programs

DATE: January 19, 2024

REVISED: \_\_\_\_\_

|    | ANALYST | STAFF DIRECTOR | REFERENCE | ACTION             |
|----|---------|----------------|-----------|--------------------|
| 1. | Palazes | Bouck          | HE        | <b>Pre-meeting</b> |
| 2. |         |                | AED       |                    |
| 3. |         |                | RC        |                    |

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**I. Summary:**

SB 1372 modifies requirements for courses and instruction in initial teacher preparation programs, educator preparation institutes, and school leadership programs to specify that such programs:

- May not distort historical events, teach identity politics, violate Florida law regarding discrimination, or base such courses or instruction on specified theories.
- Must afford teacher candidates the opportunity to think critically, achieve mastery of academic content, learn instructional strategies, and demonstrate competence.

The bill is effective on July 1, 2024.

**II. Present Situation:**

**Florida Educational Equity Act**

The “Florida Educational Equity Act” (FEEA) prohibits discrimination in any program or employment condition on the basis of race, color, national origin, sex, disability, religion, or marital status against a student or an employee in the state system of public K-20 education.

The FEEA specifies, in part, that:

- No individual may, on the basis of race, color, national origin, sex, disability, religion, or marital status, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any public K-20 education program or activity, or in any employment conditions or practices, conducted by a public educational institution that receives or benefits from federal or state financial assistance.<sup>1</sup>

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<sup>1</sup> Section 1000.05(2)(a), F.S.

- The criteria for admission to a program or course may not have the effect of restricting access by persons of a particular race, color, national origin, sex, disability, religion, or marital status.<sup>2</sup>

The FEEA includes in discrimination on the basis of race, color, national origin, or sex, subjecting any student or employee to training or instruction that espouses, promotes, advances, inculcates, or compels such student or employee to believe any of the following concepts:<sup>3</sup>

- Members of one race, color, national origin, or sex are morally superior to members of another race, color, national origin, or sex.
- A person, by virtue of his or her race, color, national origin, or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously.
- A person's moral character or status as either privileged or oppressed is necessarily determined by his or her race, color, national origin, or sex.
- Members of one race, color, national origin, or sex cannot and should not attempt to treat others without respect to race, color, national origin, or sex.
- A person, by virtue of his or her race, color, national origin, or sex, bears responsibility for, or should be discriminated against or receive adverse treatment because of, actions committed in the past by other members of the same race, color, national origin, or sex.
- A person, by virtue of his or her race, color, national origin, or sex, should be discriminated against or receive adverse treatment to achieve diversity, equity, or inclusion.
- A person, by virtue of his or her race, color, sex, or national origin, bears personal responsibility for and must feel guilt, anguish, or other forms of psychological distress because of actions, in which the person played no part, committed in the past by other members of the same race, color, national origin, or sex.
- Such virtues as merit, excellence, hard work, fairness, neutrality, objectivity, and racial colorblindness are racist or sexist, or were created by members of a particular race, color, national origin, or sex to oppress members of another race, color, national origin, or sex.

### **Required Instruction in K-12 Classrooms**

Each district school board is required to provide all courses required for middle grades promotion, high school graduation, and appropriate instruction designed to ensure that students meet State Board of Education (SBE) adopted standards in the following subject areas: reading and other language arts, mathematics, science, social studies, foreign languages, health and physical education, and the arts.<sup>4</sup> Instructional staff in public schools are required to teach efficiently and faithfully, using the books and materials required that meet the highest standards for professionalism and historical accuracy, following the prescribed courses of study, and employing approved methods of instruction.<sup>5</sup>

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<sup>2</sup> Section 1000.05(2)(b), F.S.

<sup>3</sup> Section 1000.05(4)(a), F.S. A federal district court has issued a preliminary injunction to prohibit the Board of Governors from enforcing ss. 1000.05(4)(a)-(b), F.S., and to prohibit the University of South Florida Board of Trustees from enforcing ss. 1000.05(4)(a)1.-3., 5., and 7., and s. 1000.05(4)(b), F.S. *See Pernell v. Florida Bd. of Governors of State Univ. Sys.*, No. 4:22CV304-MW-MAF (N.D. Fla. Nov. 17, 2022) (order granting preliminary injunction), *motion to stay injunction pending appeal denied*, No. 22-13992-J (11th Cir. Mar. 16, 2023).

<sup>4</sup> Section 1003.42(1)(a), F.S.

<sup>5</sup> Section 1003.42(2), F.S.

Required instruction and supporting materials in Florida classrooms must be consistent with the following principles of individual freedom:<sup>6</sup>

- No person is inherently racist, sexist, or oppressive, whether consciously or unconsciously, solely by virtue of his or her race or sex.
- No race is inherently superior to another race.
- No person should be discriminated against or receive adverse treatment solely or partly on the basis of race, color, national origin, religion, disability, or sex.
- Meritocracy or traits such as a hard work ethic are not racist but fundamental to the right to pursue happiness and be rewarded for industry.
- A person, by virtue of his or her race or sex, does not bear responsibility for actions committed in the past by other members of the same race or sex.
- A person should not be instructed that he or she must feel guilt, anguish, or other forms of psychological distress for actions, in which he or she played no part, committed in the past by other members of the same race or sex.

### **Teacher Preparation Programs**

Teacher preparation programs are accountable for producing individuals with the competencies and skills necessary to achieve the state education goals.<sup>7</sup> State-approved teacher preparation programs are offered by Florida public and private postsecondary institutions, public school districts, and private providers by which candidates for educator certification can, depending on the type of program, demonstrate mastery of general knowledge, professional preparation and education competence, and/or subject area knowledge for purposes of attaining an educator certificate.<sup>8</sup>

There are various state-approved teacher preparation programs that individuals may use to receive the training needed to attain an educator certificate, including:<sup>9</sup>

- Initial Teacher Preparation programs in public and private colleges and universities requiring candidates to demonstrate mastery of subject area knowledge in one or more specific subject areas(s), mastery of general knowledge, and mastery of professional preparation and education competence. Program completers qualify for a professional educator certificate.<sup>10</sup>
- Educator Preparation Institutes (EPIs) offering alternative certification programs by postsecondary institutions and qualified private providers for baccalaureate degree holders. These programs provide professional preparation for career-changers and recent college graduates who do not already possess a Professional Educator Certificate and require mastery of general knowledge, mastery of subject area knowledge, and mastery of professional preparation and education competence.
- District professional development certification and education competency programs. Such programs are cohesive competency-based professional preparation certification programs

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<sup>6</sup> Section 1003.42(3), F.S.

<sup>7</sup> Section 1004.04(1)(b), F.S.

<sup>8</sup> See Florida Department of Education (DOE), *Professional Development in Florida*, <http://www.fldoe.org/teaching/professional-dev/> (last visited Jan 17, 2024). See also rule 6A-5.066, F.A.C.; ss. 1004.04(3)(a) and 1004.85(1), F.S.

<sup>9</sup> Florida DOE, *Educator Preparation*, <http://www.fldoe.org/teaching/preparation> (last visited Jan. 17, 2024). See also rule 6A-5.066, F.A.C.

<sup>10</sup> Rule 6A-5.066(1)(r), F.A.C.

offered by school districts, charter schools, and charter management districts by which the instructional staff can satisfy the mastery of professional preparation and education competence requirements.<sup>11</sup> In addition to completing the district program, candidates must demonstrate mastery of general knowledge<sup>12</sup> and subject area knowledge.<sup>13</sup>

### Teacher Preparation Program Uniform Core Curricula

Each candidate enrolled in a teacher preparation program must receive instruction and be assessed on the uniform core curricula in his or her area of program concentration during course work and field experiences. A candidate for certification in a coverage area that includes reading instruction or interventions in kindergarten through grade six must successfully complete all competencies for a reading endorsement.<sup>14</sup>

The SBE must establish, in rule, uniform core curricula for each state-approved teacher preparation program including, but not limited to:<sup>15</sup>

- Candidate instruction and assessment in the Florida Educator Accomplished Practices (FEAP)<sup>16</sup> across content areas;
- The use of state-adopted content standards to guide curricula and instruction;<sup>17</sup>
- Scientifically researched and evidence-based reading instructional strategies that improve reading performance for all students;<sup>18</sup>
- Content literacy and mathematical practices;
- Strategies appropriate for instruction of English language learners;
- Strategies appropriate for instruction of students with disabilities;
- Strategies to differentiate instruction based on student needs;
- Strategies and practices to support evidence-based content aligned to state standards and grading practices;
- Strategies appropriate for the early identification of students in crisis or experiencing a mental health challenge and the referral of such student to a mental health professional for support;
- Strategies to support the use of technology in education and distance learning; and
- Strategies and practices to support effective, research-based assessment and grading practices aligned to the state's academic standards.

<sup>11</sup> Section 1012.56(8)(a), F.S. There are 77 such programs in Florida. Florida Department of Education. *State-Approved Educator Preparation Programs, Approved Add-on Programs*, <https://www.fldoe.org/teaching/preparation/initial-teacher-preparation-programs/approved-teacher-edu-programs.shtml> (last visited Jan. 18, 2024).

<sup>12</sup> See Florida DOE, *General Knowledge*, <https://www.fldoe.org/teaching/certification/general-cert-requirements/general-knowledge.shtml> (last visited Jan. 17, 2024).

<sup>13</sup> Florida DOE, *Subject Area Knowledge*, <https://www.fldoe.org/teaching/certification/general-cert-requirements/subject-area-knowledge.shtml> (last visited Jan. 17, 2024).

<sup>14</sup> Section 1004.04(2)(c), F.S.

<sup>15</sup> Section 1004.04(2)(b)1.-10., F.S.

<sup>16</sup> Florida DOE, *Professional Development The Florida Educator Accomplished Practices (FEAP)*, <https://www.fldoe.org/teaching/professional-dev/the-fl-educator-accomplished-practices.shtml> (last visited Jan. 17, 2024).

<sup>17</sup> The SBE has adopted the state academic standards, which establish the core content of the curricula taught in the state and specify the core content knowledge and skills that K-12 public school students are expected to acquire. Rule 6A-1.09401(1), F.A.C.; s. 1003.41(1), F.S.

<sup>18</sup> The Just Read, Florida! Office must assist teacher preparation programs and EPIs with this requirement. Section 1001.215(11), F.S.

In addition, before program completion, each candidate must demonstrate his or her ability to positively impact student learning growth in the candidate's area(s) of program concentration during a prekindergarten through grade 12 field experience and must pass each portion of the Florida Teacher Certification Examination required for a professional certificate in the area(s) of program concentration.<sup>19</sup>

There are 57 initial teacher preparation programs in Florida, at 10 state universities, 19 Florida College System institutions, and 28 private colleges and universities.<sup>20</sup>

### Educator Preparation Institutes (EPIs)

Postsecondary institutions that are accredited or approved by the Department of Education (DOE) to award degrees and credits for educator certification may seek approval from the DOE to create EPIs for the purpose of providing all or any of the following:<sup>21</sup>

- Professional development instruction to assist teachers in improving classroom instruction and in meeting certification or recertification requirements;
- Instruction to assist potential and existing substitute teachers in performing their duties;
- Instruction to assist paraprofessionals in meeting education and training requirements;
- Instruction for noneducation baccalaureate degree holders to become certified teachers in order to increase routes to the classroom for mid-career professionals; and
- Instruction and professional development for part-time and full-time non-degreed teachers of career programs.

A private provider that has a proven history of delivering high-quality educator preparation may also seek approval to offer a competency-based certification program. The DOE approval must be based upon evidence provided from other state recipients of the provider's services and data showing the successful performance of completers based upon student achievement.<sup>22</sup>

Educator preparation institutes may offer competency-based certification programs specifically designed for non-education major baccalaureate degree holders to enable program participants to meet educator certification. The DOE must approve a certification program if the institute provides evidence of the institute's capacity to implement a competency-based program that includes each of the following:<sup>23</sup>

- Participant instruction and assessment in the Florida Educator Accomplished Practices across content areas.
- The use of state-adopted student content standards to guide curriculum and instruction.
- Scientifically researched and evidence-based reading instructional strategies that improve reading performance for all students, including explicit, systematic, and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency, and text comprehension and multisensory intervention strategies.

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<sup>19</sup> Section 1004.04(2)(d), F.S.

<sup>20</sup> Florida Department of Education. *State-Approved Educator Preparation Programs, Colleges/Universities*, <https://www.fldoe.org/teaching/preparation/initial-teacher-preparation-programs/approved-teacher-edu-programs.shtml> (last visited Jan. 18, 2024).

<sup>21</sup> Section 1004.85(2)(a), F.S.

<sup>22</sup> Section 1004.85(2)(b), F.S.

<sup>23</sup> Section 1004.85(3), F.S. *See also* s.1004.04(2), F.S.

- Content literacy and mathematical practices.
- Strategies appropriate for instruction of English language learners.
- Strategies appropriate for instruction of students with disabilities.
- Strategies to differentiate instruction based on student needs.
- Strategies and practices to support evidence-based content aligned to state standards and grading practices.
- Strategies appropriate for the early identification of a student in crisis or experiencing a mental health challenge and the referral of such student to a mental health professional for support.
- Strategies to support the use of technology in education and distance learning.
- An educational plan for each participant to meet certification requirements and demonstrate his or her ability to teach the subject area for which the participant is seeking certification, which is based on an assessment of his or her competency in specified areas.
- Field experiences appropriate to the certification subject area.
- A certification ombudsman to facilitate the process and procedures required for participants who complete the program to meet any requirements related to the background screening and educator professional or temporary certification.

Continued program approval is determined by the Commissioner of Education (commissioner) based upon a periodic review of candidate readiness based on passage rates on educator certification examinations and evidence of performance of students in prekindergarten through grade 12 who are assigned to in-field program completers on statewide assessments, results of program completers' annual evaluations, and workforce contributions.<sup>24</sup>

Each approved EPI must submit annual performance evaluations to the DOE that measure the effectiveness of the programs, including the pass rates of participants on all examinations required for teacher certification, employment rates, longitudinal retention rates, and satisfaction surveys of employers and program completers. The satisfaction surveys must be designed to measure the sufficient preparation of the educator for the realities of the classroom and the institute's responsiveness to local school districts. These evaluations must be used by the DOE for purposes of continued approval of an EPI's certification program.<sup>25</sup>

There are currently 38 state-approved EPI programs. Eighteen at Florida College System institutions, four at state universities, and 16 at private colleges or universities or private providers.<sup>26</sup>

### School Leader Preparation Programs

The DOE is required to approve all Level I and Level II school leader preparation programs that enable aspiring school leaders to obtain their certificate in educational leadership.<sup>27</sup> Level I programs lead to initial certification in educational leadership for the purpose for preparing

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<sup>24</sup> Section 1004.85(4), F.S. *See also* Rule 6A-5.066, F.A.C.

<sup>25</sup> Section 1004.85(5), F.S. *See also* Rule 6A-5.066, F.A.C.

<sup>26</sup> Florida Department of Education, *State-Approved EPI Programs*, available at <https://www.fldoe.org/core/fileparse.php/7502/urlt/State-ApprovedEPIProgram.pdf>.

<sup>27</sup> Section 1012.562, F.S.

individuals to serve as school administrators.<sup>28</sup> Level II programs build upon Level I training and lead to renewal certification as a school principal.<sup>29</sup> Postsecondary institutions, school districts, charter schools and charter management organizations are eligible to offer Level I and Level II school leadership programs.<sup>30</sup>

The school leadership programs are required to be competency-based, aligned to the principal leadership standards adopted by the SBE, and open to individuals employed by public schools, including charter schools and virtual schools.<sup>31</sup>

The purpose of school leader preparation programs is to:<sup>32</sup>

- Increase the supply of effective school leaders in the public schools of this state.
- Produce school leaders who are prepared to lead the state's diverse student population in meeting high standards for academic achievement.
- Enable school leaders to facilitate the development and retention of effective and highly effective classroom teachers.
- Produce leaders with the competencies and skills necessary to achieve the state's education goals.
- Sustain the state system of school improvement and education accountability.

Initial Level I programs are approved for 5 years. A school district, postsecondary institution, charter school or charter management organizations may submit an application to the Department of Education (DOE) to establish a Level 1 program. To be approved, a Level I program must:<sup>33</sup>

- Provide competency-based training aligned to the principal leadership standards adopted by the SBE.
- If the program is provided by a postsecondary institution, partner with at least one school district.
- Describe the qualifications that will be used to determine program admission standards, including a candidate's instructional expertise and leadership potential.
- Describe how the training provided through the program will be aligned to the personnel evaluation criteria.

Renewal of Level I programs are approved for a period of 5 years and are based upon evidence of the program's continued ability to meet the initial approval requirements. A postsecondary institution or school district must submit an institutional program evaluation plan in a format prescribed by DOE for a Level I program to be considered for renewal. The plan must include:<sup>34</sup>

- The percentage of personnel who complete the program and are placed in school leadership positions in public schools within the state.
- Results from the personnel evaluations for personnel who complete the program.

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<sup>28</sup> Section 1012.562, F.S.

<sup>29</sup> *Id.*

<sup>30</sup> Section 1012.562(2)(a) and (3)(a), F.S., *See also* Rule 6A-5.081, F.A.C.

<sup>31</sup> *Id.*

<sup>32</sup> Section 1012.562(1)(a)-(e), F.S.

<sup>33</sup> Section 1012.562(2)(a), F.S.

<sup>34</sup> Section 1012.562(2)(b), F.S.

- The passage rate of personnel who complete the program on the Florida Education Leadership Examination.
- The impact personnel who complete the program have on student learning as measured by the formulas developed by the commissioner.
- Strategies for continuous improvement of the program.
- Strategies for involving personnel who complete the program, other school personnel, community agencies, business representatives, and other stakeholders in the program evaluation process.
- Additional data included at the discretion of the postsecondary institution or school district.

Initial approval and subsequent renewal of a Level II program is for a period of 5 years. A school district, charter school, or charter management organization may submit to the DOE an application to establish a Level II school leader preparation program or for program renewal. To be approved or renewed, a Level II program must:<sup>35</sup>

- Demonstrate that personnel accepted into the Level II program have:
  - Obtained their certificate in educational leadership.
  - Earned a highly effective or effective designation.
  - Satisfactorily performed instructional leadership responsibilities as measured by their evaluation system.
- Demonstrate that the Level II program:
  - Provides competency-based training aligned to the principal leadership standards adopted by the State Board of Education.
  - Provides training aligned to the personnel evaluation criteria and professional development under the William Cecil Golden Professional Learning Program for School Leaders.
  - Provides individualized instruction using a customized learning plan for each person enrolled in the program that is based on data from self-assessment, selection, and appraisal instruments.
  - Conducts program evaluations and implements program improvements using input from personnel who completed the Level I program and employers and data gathered from the Level I Program.

### III. Effect of Proposed Changes:

SB 1372 amends s. 1004.04, F.S., to specify that teacher preparation program courses may not distort significant historical events or include a curriculum or instruction that teaches identity politics, violates s. 1000.05, F.S.,<sup>36</sup> or is based on theories that systemic racism, sexism, oppression, and privilege are inherent in the institutions of the United States and were created to maintain social, political, and economic inequities. The bill also requires that teacher preparation program courses afford candidates the opportunity to think critically, achieve mastery of academic program content, learn instructional strategies, and demonstrate competence.

The bill amends s. 1004.85, F.S., to require that educator preparation institutes (EPIs) at postsecondary institutions approved by the Department of Education (DOE) may not provide

<sup>35</sup> Section 1012.256 (3)(a)(b), F.S.

<sup>36</sup> Section 1000.05, F.S., establishes the Florida Educational Equity Act.



instruction that distorts significant historical events or include a curriculum or instruction that teaches identity politics, violates s. 1000.05, F.S., or is based on theories that systemic racism, sexism, oppression, and privilege are inherent in the institutions of the United States and were created to maintain social, political, and economic inequities. The bill also requires that courses and instruction at EPIs afford candidates the opportunity to think critically, achieve mastery of academic program content, learn instructional strategies, and demonstrate competence.

The bill amends s.1012.562, F.S., to require that Level I and Level II school leader preparation programs may not distort significant historical events or include a curriculum or instruction that teaches identity politics, violates s. 1000.05, F.S., or is based on theories that systemic racism, sexism, oppression, and privilege are inherent in the institutions of the United States and were created to maintain social, political, and economic inequities. The bill also requires that Level I and Level II school leader preparation programs afford candidates the opportunity to think critically, achieve mastery of academic program content, learn instructional strategies, and demonstrate competence.

The bill is effective on July 1, 2024.

#### **IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

#### **V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 1004.04, 1004.85, and 1012.562.

**IX. Additional Information:**

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.